REMARKS

Favorable reconsideration of this application is respectfully requested in view of the claim amendments and following remarks. Claims 1, 3, 6, 8, 11, 13, and 15 have been amended for clarification. Currently, claims 1, 3-6, 8-11, 13-15, and 21-23 are pending in the present application of which claims 1, 6, and 11 are independent. No new matter has been added.

The drawings were objected to because "reference character System 100 is depicted as coupled to both Figure 1A and Figure 1B." Claims 16, 18-20, and 24 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 1, 3-6, 8-11, 13-16, and 18-24 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hiyoshi (U.S. Patent No. 6,601,067) in view of Signore et al., "Using Procedural Patterns in Abstracting Relational Schemata," and Regeard et al. (U.S. Pub. No. 2004/0103433). In view of the amendment set forth above and the following remarks, these rejections are respectfully traversed.

OBJECTIONS

The drawings were objected to because "reference character System 100 is depicted as coupled to both Figure 1A and Figure 1B." As stated in 37 CFR § 1.84(p)(4), "[t]he same part of an invention appearing in more than one view of the drawing must always be designated by the same reference character." As described in the specification, FIGURE 1 depicts content reception system 100, which includes a controller 101 and at least one of a video receiver 110, an audio receiver 111, an internet access device 112, and a remote control 113. See p. 7, ln. 11-24; p. 8, ln. 1-12. System 100 is therefore not coupled to both Figure 1A and 1B, but rather depicted in two different views and therefore labeled with the same reference character. In addition, an arrow is used for each view in accordance with 37 CFR § 1.84(r)(1) to "indicate the entire section towards which it points." Accordingly, the Examiner is respectfully requested to withdraw this objection.

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REJECTION UNDER 35 U.S.C. § 101

Claims 16, 18-20, and 24 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 16, 18-20, and 24 have been canceled. The Examiner is therefore respectfully requested to withdraw this rejection.

REJECTION UNDER 35 U.S.C. § 103

The test for determining if a claim is rendered obvious by one or more references for purposes of a rejection under 35 U.S.C. § 103 is set forth in MPEP § 706.02(j):

> To establish a *prima facie* case of obviousness, three basic criteria
> must be met. First, there must be some suggestion or motivation,
> either in the references themselves or in the knowledge generally
> available to one of ordinary skill in the art, to modify the reference or
> to combine reference teachings. Second, there must be a reasonable
> expectation of success. Finally, the prior art reference (or references
> when combined) must teach or suggest all the claim limitations. The
> teaching or suggestion to make the claimed combination and the
> reasonable expectation of success must both be found in the prior art
> and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20
> USPQ2d 1438 (Fed. Cir. 1991).

Therefore, if the above-identified criteria are not met, then the cited reference(s) fails to render obvious the claimed invention and, thus, the claimed invention is distinguishable over the cited reference(s).

Claims 1, 3-6, 8-11, 13-16, and 18-24 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hiyoshi in view of Signore et al. and Regeard et al. This rejection is respectfully traversed because Hiyoshi, Signore et al., and Regeard et al., considered singly or in combination, fail to teach or suggest the claimed invention as set forth in amended claims 1, 6, and 11 and their dependents.

Hiyoshi relates to an apparatus for sorting and merging data records. FIG. 1 is a block diagram of a sort/merge processor according to the invention. The sort/merge processor 10 comprises the following elements: a group profile identification unit 11, a file system setting unit 12, an extraction criteria setting unit 13, a reformatting rule setting unit 14, a file reading unit 15,

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a record extraction processor 16, a record reformatting processor 17, a sort/merge execution unit 18, and a file writing unit 19. See col. 3, ln. 65-67; col. 4, ln. 1-6. The proposed processor 10 receives a sort/merge command. See col. 4, ln. 21-39. Parsing the group profile specifications, the group profile identification unit 11 determines which operating parameters should be used to process each group of input files. Id. When the processing environment has been established, the file reading unit 15 reads input files from the specified file system. See col. 4, ln. 40-55. Then the record extraction processor 16 and record reformatting processor 17 perform extraction and reformatting of the records. Id. After that, the sort/merge execution unit 18 sorts and merges the records. Id. When all groups are done in this way, the file writing unit 19 saves the resulting records into an output file. Id.

Signore et al. relates to using procedural patterns in abstracting relational schemata. The reverse engineering process is performed essentially in three phases: the identification of primary keys, the detection of the indicators, and the conceptualization. See p. 129, col. 1. In the first phase, the process automatically detects, if possible, the primary keys of the relations. Id. In the second phase, the process searches for pre-defined indicators that can be significant to characterize one or more relational schema itemsa in the conceptual model. Id. In the third phase, the user can formulate hypotheses on the conceptual meaning of the elements of the relational schema, evaluate them together with the conceptually unidentified relations, and decide to restart some reverse engineering process phases. Id.

Regeard et al. relates to a search method for audio-visual programs or contents on an audio-visual flux containing tables of events distributed by a database. The search method for audio-visual programs or contents on an audio-visual flux containing tables of events distributed by a database is characterized in that it consists of establishing a search criterion for programs consisting of a combination of all or part of the search arguments such as keywords, search themes, television broadcasting channel, day, broadcast time. See section [0016]. Advantageously, the search method by keyword is coupled with a multicriteria search by theme, channel, day and broadcast time. See section [0018]. The method forming the object of the invention is characterized in that it consists in combining a search by keyword in the different

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fields of the event tables broadcast in the audio-visual program flux with a search by program guide criteria of the Theme, Channel, Day, and Broadcast Time type, whose values are defined in said event tables, for accessing textual contents of a database accessible via an interactive link. Id.

Claims 1, 6, and 11, as amended, recite sorting information items using "primary and secondary sort keys derived from predetermined user sorting preferences for a current user task context and a content type for the information items." This feature relates to sorting information items based on the task the user is currently performing, the type of information items being sorted, and the sorting preferences of the user. The applicants respectfully submit that Signore et al. does not show this feature. The method of Signore et al. is used to derive the conceptual database schema from a physical database structure. Accordingly, the method first determines the primary keys by analyzing the structure of the tables in the database. See p. 129, col. 2. The user must typically make conclusions about the attributes of the tables in order to determine the primary keys. See p. 130, col. 1. The determination of the keys is therefore based on the structure of the tables and the user's decision and is not based on the current user task context and user sorting preferences. Thus Signore et al. does not disclose sorting information items using "primary and secondary sort keys derived from predetermined user sorting preferences for a current user task context and a content type for the information items." In addition, the applicants respectfully submit that Regeard et al. does not show this feature. Regeard et al. describes a method for providing keyword searching in an audio-visual context. With respect to sorting, Regeard et al. only discloses sorting events in the event information table by name and does not consider the current user task context and user sorting preferences. See section [0037]. Moreover, even in the context of keyword searching, Regeard et al. only discloses searching based on keyword, theme, channel, day, and time; the system does not consider the user task context and user sorting preferences. See section [0052]. Thus Regeard et al. does not disclose sorting information items using "primary and secondary sort keys derived from predetermined user sorting preferences for a current user task context and a content type for the information items." Moreover, as the Examiner noted in the Office Action, Hiyoshi also does not teach this

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feature. Consequently, it is respectfully submitted that Hiyoshi, Signore et al., and Regeard et al. fail to teach, singly or in combination, sorting information items using "primary and secondary sort keys derived from predetermined user sorting preferences for a current user task context and a content type for the information items."

Accordingly, Hiyoshi, Signore et al., and Regeard et al. fail to teach all of the features in claims 1, 6, and 11. Claims 3, 4, and 5, and 21 depend upon allowable claim 1 and are therefore allowable at least by virtue of their dependencies. In addition, claims 8, 9, 10, and 22 depend upon allowable claim 6 and are therefore allowable at least by virtue of their dependencies. Finally, claims 13, 14, 15, and 23 depend upon allowable claim 11 and are therefore allowable at least by virtue of their dependencies. Claims 16, 18-20, and 24 have been canceled, so this rejection is moot with respect to these claims. The Examiner is therefore respectfully requested to withdraw the rejection of claims 1, 3-6, 8-11, 13-16, and 18-24.
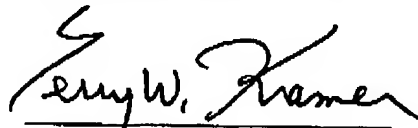
CONCLUSION

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

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Application No: 10/037,445
Attorney's Docket No: US 010685

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

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Date: _April 24, 2006_

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